

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MOSHE LEVY,

Plaintiff,

-against-

CREDIT PROTECTION ASSOCIATION,

Defendant.

Docket No.

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE, that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Credit Protection Association L.P. (“CPA”) sued herein as Credit Protection Association, hereby gives notice of the removal of this action from the Civil Court of the City of New York, County of Kings, where it is now pending, to the United States District Court for the Eastern District of New York. In support of this Notice of Removal, Defendant states:

1. Plaintiff filed a Summons and Complaint in this action styled *Moshe Levy v. Credit Protection Association*, bearing Index No. 003758 before the Civil Court of the City of New York, County of Kings (the “State Court Action”) on or about February 5, 2019. A copy of the Summons and Complaint is annexed hereto as **Exhibit A**.

2. The Summons and Complaint allege, in sum and substances, that Defendants violated the Federal Fair Debt Collection Practices Act, 15 U.S.C. §1692 *et seq.*. Accordingly, this action may be removed pursuant to 28 U.S.C. § 1441(b) as this Court has federal question jurisdiction under 28 U.S.C. §1331.

3. This Notice of Removal is timely filed within thirty (30) days after Defendants first received a copy of the initial pleadings setting forth the claims for relief and existence of federal questions jurisdiction. 28 U.S.C. §1446(b); *See Boone v. Thane*, 07-CV-4358

(SLT)(VVP), 2009 WL 910556 at *2 (E.D.N.Y. March 31, 2009); *citing Fernandez v. Hale Trailer Brake & Wheel*, 332 F.Supp.2d 621, 624 (S.D.N.Y. 2004).

4. A civil cover sheet and the payment of the required filing fee accompany this Notice.

5. Written notice of this Notice of Removal will be filed in the Civil Court of the City of New York, County of Kings.

WHEREFORE, the Removing Defendant respectfully requests that this action be removed from the Civil Court of the City of New York, County of Kings to the United States District Court for the Eastern District of New York.

Dated: New York, New York
March 7, 2019

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